

REMARKS

Rejection of claims 4-6 under 35 U.S.C. § 112, first and second paragraphs

Claims 4-6 were rejected as indefinite and lacking written description support for the recitation of “imidazoquinolineamine derivatives.” While the applicants disagree, they have amended claim 4 by removing the term “derivative,” thereby obviating this rejection.

In view of the foregoing, the applicants respectfully request reconsideration and withdrawal of these rejections.

Rejection of claims 1-6 under 35 U.S.C. § 112, second paragraph

Claims 1-6 stand rejected as indefinite for failing to particularly point out and distinctly claimed subject matter the applicant regards as the invention. Specifically, the Office alleges that the terms "Toll-like 7 receptor," "Toll-like 8 receptor," and "Toll-like 4 receptor" are considered open-ended and, therefore, indefinite. For the following reasons, the applicant respectfully traversed.

It appears the Office has misconstrued the term “Toll-like receptor” as being a receptor that is like but not necessarily the same as a “Toll receptor.” This is not the case. The Toll-like receptor family of receptors derive their name from their similarity to the Toll gene identified in *Drosophila* in 1985 and constitute a family of well defined proteins. *See, for example*, the Wikipedia entry for “Toll-like receptor” (http://en.wikipedia.org/wiki/Toll-like_receptor, last visited December 2, 2008). A search of PubMed for “toll-like #” (where # is a number) yields numerous scientific publications regarding the various Toll-like receptors, thus manifesting that the term “Toll-like # receptor” is commonly used in the scientific literature and, accordingly, sufficiently well defined to those of ordinary skill in the art. Consequently, the applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection of claims 5 and 6 under 35 U.S.C. § 112, second paragraph

Claims 5 and 6 were rejected as indefinite for the recitation in claim 5 of “the preceding claim.” While the applicants disagree, claim 5 has been amended in a manner that obviates the rejection. Accordingly, the applicants respectfully request reconsideration and withdrawal of this rejection.

Claim objection

The claims were objected to as containing non-elected subject matter. In response, the applicants respectfully submit that pursuant to MPEP 803.02 the entire scope of the claims must be examined.

If there are any questions or comments regarding this Preliminary Amendment or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

If it is believed that a teleconference will advance prosecution, the examiner is encouraged to contact the undersigned as indicated below.

Date: December 9, 2008

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Respectfully submitted,
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